

MESSAGE NO: 6055311 MESSAGE DATE: 02/24/2016

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE: ADRV-Administrative Review

FR CITE: 76 FR 15941 FR CITE DATE: 04/22/2011

REFERENCE 1119311, 1119312  
MESSAGE #  
(s):

CASE #(s): A-552-801

EFFECTIVE DATE: 04/22/2011 COURT CASE #:

PERIOD OF REVIEW: 08/01/2008 TO 07/31/2009

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for certain frozen fish fillets from the Socialist Republic of Vietnam exported by Vietnam-wide entity for the period 08/01/2008 through 07/31/2009 (A-552-801)

1. For all shipments of certain frozen fish fillets from Vietnam exported by the Vietnam-wide entity (A-552-801-000) entered, or withdrawn from warehouse, for consumption during the period 08/01/2008 through 07/31/2009, assess an antidumping liability equal to \$2.11 per kilogram of subject merchandise unless paragraph 3 applies.

2. The notice of lifting of suspension of liquidation for entries of subject merchandise covered by paragraph 1 occurred with the publication of the final results of administrative review (76 FR 15941, 04/22/2011). Unless instructed otherwise, for all other shipments of certain frozen fish fillets from Vietnam, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current cash deposit rates or per-unit amounts.

3. The following injunction may be applicable to entries described in paragraph 2. The injunction with court number 11-00109, described in message number 1119312, dated 04/29/2011, is applicable to entries of subject merchandise which were exported by Vinh Hoan Corporation, Vinh Quang Fisheries Corporation, An Giang Fisheries Import and Export Joint Stock Company (A/K/A "Agifish" or "Angiang Fisheries Import and Export"), East Sea Seafoods Limited Liability Company, East Sea Seafoods Joint Venture Co., Ltd., and Southern Fishery Industries Company (A/K/A "South Vina"), and which were entered, or withdrawn from warehouse, for consumption during the period 08/01/2008 through 07/31/2009. In addition, the injunction with court number 11-00110, described in message number 1119311, dated 04/29/2011, is applicable to entries of subject merchandise which were produced and exported by Cuu Long Fish Joint Stock Company ("CL-Fish"), and which were entered, or withdrawn from warehouse, for consumption during the period 08/01/2008 through 07/31/2009. Accordingly, pursuant to these injunctions, and until further notice, continue to suspend liquidation of entries covered by these injunctions until liquidation instructions are issued.

4. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778

requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

5. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

6. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV:JB.)

7. There are no restrictions on the release of this information.

Alexander Amdur

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party